W.P. No. 1234 of 2004 (M/S)

Hon. P.C. Pant, J.

By means of this petition petitioner has sought admission in M.A, Mass Communication in the Garhwal University at Srinagar.

Heard Mr. Atul Bahuguna, learned counsel for the petitioner.

In the earlier round of litigation, a writ petition no. 1414 of 2004 was filed by the same petitioner, which was disposed of on 15.10.2004 where by direction was given to the respondent to dispose of the representation within a period of fifteen days. It appears that in compliance of said direction, the representation of the petitioner was considered and the same was rejected with reasons thereof.

Hence, the petitioner has again come up before this Court by filing the present petition.

Admittedly, the petitioner qualified for admission test for aforesaid course and stood second in the O.B.C. category. Out of the four candidates who qualified, there were only three seats available in the O.B.C. category for the boys. From the annexures filed with the petition as well as the order dated 04.11.2004 by the Director of the University, it is clear that the petitioner unfortunately could not turn up at the time of counseling and the third position holder got admission in his place. Later first position holder being higher in merit also got admission though he too reached late for counseling. By the time, the petitioner reached, seats were full. This Court, feels that the petitioner was unfortunate candidate but the Court has its own limits and it cannot direct to raise the seats for the admission course.

In the circumstances, the writ petition is dismissed in limine.

Dt. 01.12.2004 (P.C. Pant, J.)

SJ